

REMARKS/ARGUMENTS

Claims 1-3, 6, 10-11, 14-23, 26-27, 31-33, 46, 50, and 53 are pending in this application. Claims 4, 5, 7-9, 12, 13 24-25, 28-30, 34-45, 47-49, 51-52, and 54-62 are canceled without prejudice.

I. Status of the claims

Independent claims 1, 21 and 46 have been amended to recite that “the polypeptide has at least 95% identity to the lbp-7 protein in Tables 3 and 6 and wherein the lbp-7 polypeptide is encoded by a nucleic acid that is expressed in *C. elegans* and is upregulated when daf-16 activity is inhibited and is downregulated when daf-2 activity is inhibited.” Support for this amendment can be found in dependent claims as previously amended.

IV. Rejections under 35 U.S.C. §112, first paragraph, written description

In view of the above amendments, withdrawal of the rejection for alleged lack of written description is respectfully requested.

V. Rejections under 35 U.S.C. §112, first paragraph, enablement

In view of the above amendments, withdrawal of the rejection for alleged lack of enablement is respectfully requested.

VI. Rejections under 35 U.S.C. §112, second paragraph

In view of the above amendments, withdrawal of the rejections for alleged indefiniteness is respectfully requested.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Appl. No. 10/536,635
Amdt. dated May 22, 2009
Reply to Office Action of January 22, 2009

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-817-3130.

Respectfully submitted,


Annette S. Parent
Reg. No. 42,058

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 206-467-9600
Fax: 415-576-0300
61959983 v1